

MONDAY, MAY 1, 1989

FORTIETH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Representative Phillip Pinion.

Representative Joe Armstrong led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Gunnels, Halteman, Harrill, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Haun was excused to attend a memorial service.

BILL RECALLED

Pursuant to Rule No. 54, Rep. DeBerry moved that the Clerk request the return of Senate Bill No. 1132 from the Senate, which motion prevailed.

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***Senate Bill No. 1132 -- Motor Vehicles, Titling and Registration --** Revises requirements for motor vehicle certificates of title under certain circumstances. Amends TCA, Title 55, Ch. 3.

RULES SUSPENDED

Rep. West moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 356 out of order, which motion prevailed.

House Joint Resolution No. 0356 -- Memorials, Public Service -- Honors Brandywine Woman's Club of Old Hickory for participation in commissioning of USS Tennessee. by *West.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. West, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Kent moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 355 out of order, which motion prevailed.

House Joint Resolution No. 0355 -- Memorials, Interns and Pages -- Honors Timothy L. Cochran, 1989 legislative intern. by *Kent, *Moore U A, *Cain.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kent, the resolution was adopted.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 0438 -- Loan Companies -- Revises maximum effective interest rate and service charge on loans; revises manner in which service charge is imposed and refunds calculated on certain loans. Amends TCA 45-5-301, 45-5-401--403.

On motion, House Bill No. 438 was made to conform with Senate Bill No. 620.

On motion, **Senate Bill No. 620**, on same subject, was substituted for House Bill No. 438.

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Rep. Wheeler moved that Senate Bill No. 620 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	76
Noes.	16
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Gunnels, Harrill, Hassell, Hawkins, Head, Henry (Roane), Hillis, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernall, Kieber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Peroulas, Phillips, Purcell, Rhinshart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Severance, Stallings, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wittingham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 76.

Representatives voting no were: Chiles, Davis (Gibson), Halteman, Henry (Putnam), Herron, Hobbs, Holcomb, Jones, U. (Shelby), Moody, Niceley, Odom, Pinion, Scruggs, Shirley, Sipes, Stamps -- 16.

Representatives present and not voting were: DePriest -- 1.

A motion to reconsider was tabled.

House Bill No. 0450 -- Insurance Companies, Agents, Brokers -- Provides for industrial insured captive insurance companies. Amends TCA, Title 56, Ch. 13.

On motion, House Bill No. 450 was made to conform with Senate Bill No. 708.

On motion, Senate Bill No. 708, on same subject, was substituted for House Bill No. 450.

Rep. Wheeler moved that Senate Bill No. 708 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	4

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Gunnels, Halteman, Harrill,

Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

Representatives voting no were: Bragg, Hobbs, Moody, Niceley -- 4.

A motion to reconsider was tabled.

***House Joint Resolution No. 0089** -- Tennessee Higher Education Commission -- Directs higher education commission to compile and publish certain information pertaining to role and status of blacks.

Rep. L. Turner (Shelby) moved that House Joint Resolution No. 89 be adopted, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Gunnels, Halteman, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

***House Joint Resolution No. 0187** -- Memorials, Government Officials -- Urges department of youth development to conduct study on establishment of "boot camp" program.

Rep. McAfee moved that House Joint Resolution No. 187 be adopted, which motion prevailed by the following vote:

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Ayes. 92
Noes. 0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Gunnels, Halteman, Harrill, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

House Bill No. 1211 -- Municipal Government -- Places certain requirements on members of municipal civil service boards. Amends TCA, Title 6, Ch. 54.

On motion, House Bill No. 1211 was made to conform with Senate Bill No. 860.

On motion, Senate Bill No. 860, on same subject, was substituted for House Bill No. 1211.

Rep. Gunnels moved that Senate Bill No. 860 be passed on third and final consideration.

Rep. Armstrong moved to amend as follows:

Amendment No. 1

AMEND by adding the following language as a new paragraph immediately following the amendatory language of Section 1:

Notwithstanding any provision of any municipal charter or ordinance to the contrary, all members of any municipal board in any county with a population greater than 200,000, created by ordinance or charter shall be appointed by the mayor of the municipality which the board serves. Such appointments shall be subject to confirmation by the municipal legislative body. At least one member shall be a woman and one member shall be a minority citizen.

AND FURTHER AMEND by deleting Section 2 in its entirety and substituting instead the following:

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This act shall not abridge the term of any incumbent member of a board affected by its provisions, but upon the expiration of any term, or upon any current vacancy at the time this law becomes effective, or any future vacancy on such board after the effective date of this act, such vacancy shall be filled in accordance with its terms.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Gunnels moved that Senate Bill No. 860, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Good, Gunnels, Halteman, Harrill, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

Representatives present and not voting were: Givens, Purcell -- 2.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 620 and have this statement entered in the Journal.

Rep. Ben West, Jr.

REGULAR CALENDAR, CONTINUED

*House Bill No. 0102 -- Racing -- Abolishes horse racing. Amends TCA 4-29-214; Title 4, Ch. 36.

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Rep. Robinson (Davidson) moved that House Bill No. 102 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

AMEND House Bill No. 102 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-36-401, is amended by adding after subsection (c) the following new subsection and by renumbering the subsequent subsection accordingly:

()

(1) After the effective date of this act, no referendum concerning pari-mutuel wagering on horse racing shall be submitted under the authority of this section to a vote of the people.

(2) If no license to conduct a race meeting is issued under the provisions of this chapter within twenty-four (24) months of the effective date of this act, then this chapter known as the Racing Control Act of 1987, as amended, shall cease to be effective.

AND FURTHER AMEND by deleting Section 2 in its entirety and by renumbering the subsequent section accordingly.

Rep. Rhinehart moved to reject Amendment No. 1.

Rep. Hobbs moved the previous question, which motion failed.

Thereupon, Rep. Rhinehart renewed his motion to reject Amendment No. 1, which motion failed by the following vote:

Ayes.	42
Noes.	53
Present and not voting.	2

Representatives voting aye were: Anderson, Bittle, Buck, Byrd, Chiles, Clark, Coffey, Copeland, Crain, Curlee, Davis (Knox), Good, Gunnels, Halteman, Harrill, Head, Henry (Putnam), Henry (Roane), Hillis, Jackson, McAfee, Moody, Niceley, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Washington), Scruggs, Severance, Shirley, Sipko, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Webb, Wheeler, Winingham, Wolfe, Wood. 42

Representatives voting no were: Armstrong, Bell, Bivens, Bragg, Burnett, Cain, Callicott, Collier, Cross, Davidson, Davis

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(Cocke), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Hassell, Hawkins, Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Pinion, Purcell, Robinson (Davidson), Robinson (Hamilton), Stallings, Turner, L. (Shelby), Ussery, West, Whitson, Williams, Wix, Yelton, Mr. Speaker Murray -- 53.

Representatives present and not voting were: Nuber, Odom -- 2.

Thereupon, Rep. Miller renewed the motion for adoption of Amendment No. 1, which motion prevailed by the following vote:

Ayes.	52
Noes.	43
Present and not voting.	1

Representatives voting aye were: Bell, Bivens, Bragg, Burnett, Cain, Callicott, Collier, Cross, Davis (Cocke), DeBerry, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Hassell, Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Pinion, Pruitt, Purcell, Robinson (Davidson), Stallings, Turner (Hamilton), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Yelton, Mr. Speaker Murray -- 52.

Representatives voting no were: Anderson, Armstrong, Bittle, Buck, Byrd, Chiles, Clark, Coffey, Copeland, Crain, Curlee, Davidson, Davis (Knox), Good, Gunnels, Halteman, Harrill, Hawkins, Head, Henry (Putnam), Henry (Roane), Hillis, Jackson, McAfee, McDaniel, Moody, Niceley, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stamps, Starnes, Turner, C. (Shelby), Webb, Wolfe, Wood -- 43.

Representatives present and not voting were: Nuber -- 1.

Rep. Miller moved to amend as follows:

Amendment No. 2

Amend House Bill No. 102 by inserting the following language as new, appropriately designated sections immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION ____. Tennessee Code Annotated, Section 4-36-201(a), is amended by inserting the following language at the end of the subsection:

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As terms expire or as vacancies occur the governor shall make appointments to the commission so that by the end of 1992 at least four (4) members on the commission shall be residents of local jurisdictions which have approved pari-mutuel wagering on horse racing by referendum as provided in this chapter.

SECTION ____ Tennessee Code Annotated, Section 4-36-201, is amended by deleting subsection (f) in its entirety.

SECTION ____ Tennessee Code Annotated, Section 4-36-306(b), is amended by deleting subdivisions (3) and (4) in their entirety and by substituting instead the following language:

(3) The department of revenue shall, after deducting all costs incurred by the commission pursuant to § 4-36-104, pay eighty percent (80%) of the tax paid under this subsection to the appropriate financial officer of the local jurisdiction wherein a track is located which generated such taxes. The remaining twenty percent (20%) shall be deposited in the general fund of the state.

Rep. Bragg moved that Amendment No. 2 be tabled, which motion prevailed.

Rep. C. Turner (Shelby) moved to amend as follows:

Amendment No. 3

Amend House Bill No. 102 by adding before the effective date section the following new section and by renumbering the effective date section accordingly:

SECTION ____ Tennessee Code Annotated, Section 4-36-401(b), is amended by designating the existing language as subdivision (1) and by adding the following new subdivision (2):

In accordance with the procedures established in Subdivision (1) above, an appropriate petition shall require the county election commission to place the following question on the ballot at the next regularly scheduled election:

Shall (name or county or municipality) forbid pari-mutuel wagering on horse racing?

FOR ____

AGAINST ____

Such petition shall be addressed to the county election commission of such county, or county in which such municipality is located, and shall read, except for such address, substantially as follows:

"We, registered voters of _____ (here insert name of county or municipality, as the case may be), do hereby request the holding of a referendum on the question of whether horse racing with pari-mutuel wagering shall be forbidden."

Rep. U. Jones moved that Amendment No. 3 be tabled, which motion failed by the following vote:

Ayes.	28
Noes.	55
Present and not voting.	3

Representatives voting aye were: Armstrong, Bivens, Burnett, Cain, Cross, DeBerry, Dixon, Ellis, Givens, Head, Hubbard, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Love, Moore (Lawrence), Moore (Shelby), Peroulas, Pruitt, Scruggs, Severance, Stallings, Turner (Hamilton), Turner, L. (Shelby), Yelton, Mr. Speaker Murray -- 28.

Representatives voting no were: Anderson, Bell, Bittle, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Curlee, Davidson, Davis (Knox), Duer, Gaia, Good, Gunnels, Halteman, Harrill, Hassell, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Jackson, Kernell, McAfee, McDaniel, Miller, Napier, Niceley, Odom, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Shirley, Sipes, Stamps, Turner, C. (Shelby), Ussery, Webb, West, Williams, Winningham, Wolfe, Wood -- 55.

Representatives present and not voting were: Naifeh, Nuber, Wheeler -- 3.

Thereupon, Rep. C. Turner (Shelby) renewed his motion to adopt Amendment No. 3, which motion failed.

Rep. U. Jones moved to amend as follows:

Amendment No. 4

Amend House Bill No. 102 by adding a new section, as follows, to be appropriately designated:

Section _____. Tennessee Code Annotated, Section 4-29-215(a), is amended by adding a new subdivision, as follows:

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() Tennessee state racing commission, created by Section 4-36-201.

On motion, Amendment No. 4 failed to be adopted.

Rep. U. Jones moved to amend as follows:

Amendment No. 5

Amend House Bill No. 102 by adding the following new section, to be appropriately designated:

Section ____ Tennessee Code Annotated, Section 4-36-306(b)(3), is amended by deleting the words and figures "thirty percent (30%)" wherever they appear and substituting instead the words and figures "seventy percent (70%)".

Tennessee Code Annotated, Section 4-36-306(b)(4), is amended by deleting the subdivision and substituting instead the following:

(4) The remaining thirty percent (30%) shall be allocated to the state general fund.

On motion, Amendment No. 5 failed to be adopted.

Rep. U. Jones moved to amend as follows:

Amendment No. 6

Amend House Bill No. 102 by adding the following new section, to be appropriately designated:

Section ____ Tennessee Code Annotated, Section 4-36-306(b)(3), is amended by deleting the words and figures "thirty percent (30%)" wherever they appear and substituting instead the words and figures "fifty percent (50%)".

Tennessee Code Annotated, Section 4-36-306(b)(4), is amended by deleting the subdivision and substituting instead the following:

(4) The remaining fifty percent (50%) shall be allocated to the state general fund.

Rep. Clark moved that Amendment No. 6 be tabled, which motion prevailed.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 7

Amend House Bill No. 102 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____ If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 7 was adopted.

Rep. Rhinehart moved the previous question, which motion prevailed.

Thereupon, Rep. Robinson (Davidson) moved that House Bill No. 102, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	73
Noes.	19
Present and not voting.	1

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Davidson, Davis (Cocke), DePriest, Duer, Gaia, Garrett, Givens, Halteman, Harrill, Hassell, Hawkins, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, U. (Shelby), Kent, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Whitson, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 73.

Representatives voting no were: Armstrong, Copeland, Curlee, Davis (Knox), Dixon, Ellis, Gunnels, Head, Jackson, Jones, R. (Shelby), Kernell, King, Niceley, Robinson (Hamilton), Robinson (Washington), Starnes, Turner, L. (Shelby), Williams, Wolfe -- 19.

Representatives present and not voting were: Nuber -- 1.

A motion to reconsider was tabled.

House Bill No. 1097 -- Bad Checks -- Makes worthless check for the payment of preexisting debt within coverage of bad check law. Amends TCA, Title 39, Ch. 3, Pt. 3.

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Further consideration of House Bill No. 1097, previously considered on April 24, 1989, at which time the House adopted Amendment No. 1 and reset the bill to the Calendar for May 1, 1989.

Thereupon, Rep. Naifeh moved that House Bill No. 1097, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	1
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

Representatives voting no were: Turner, L. (Shelby) -- 1.

Representatives present and not voting were: DeBerry -- 1.

A motion to reconsider was tabled.

***House Bill No. 0643 -- Public Contracts --** Revises approval process for personal, professional, or consultant service contracts. Amends TCA 12-4-110.

Rep. Bragg moved that House Bill No. 643 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend House Bill 643 by deleting Sections 1 and 2 in their entirety and by substituting therein the following:

SECTION 1. Tennessee Code Annotated, Section 12-4-110(a)(5), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(5) Purchases of services, the total cost of which is less than an amount determined pursuant to policy established by the commissioner of finance and administration and approved by the comptroller of the treasury, need not be approved by the commissioner of finance and administration; provided, however, such purchases are still subject to applicable provisions of the rules promulgated pursuant to Section 12-4-109. Notwithstanding the above language in this subdivision, contracts that have a total cost exceeding five thousand dollars (\$5,000) must be approved by the commissioner of finance and administration; this five thousand dollar amount, however, is subject to change July 1 of each year, beginning July 1, 1990, based upon the calendar year change for the previous calendar year in the Consumer Price Index as published by the United States Bureau of Labor Statistics; or

SECTION 2. This act shall take effect on July 1, 1989, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Bragg moved that House Bill No. 643, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

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REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on House Bill No. 102 and have this statement entered in the Journal.

Rep. Ulysses Jones

REGULAR CALENDAR, CONTINUED

House Bill No. 0374 -- Insurance Companies, Agents, Brokers -- Excludes title insurance business from certain disclosures required of personal service providers. Amends TCA, Title 47, Ch. 18, Pt. 11.

Rep. Buck moved that House Bill No. 374 be reset to the Calendar for Thursday, May 4, 1989, which motion prevailed.

House Bill No. 0426 -- Correctional Programs -- Permits defendants charged with certain burglary offenses to be eligible for pre-trial diversion. Amends TCA, Title 40, Ch. 15.

Rep. Buck moved that House Bill No. 426 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 1

Amend House Bill No. 426 by deleting from the amendatory language of Section 1 the word "firearm" and by substituting instead the word "weapon".

On motion, Amendment No. 1 was adopted.

Rep. Buck moved to amend as follows:

Amendment No. 2

Amend House Bill No. 426 by deleting from the amendatory language of SECTION 1 the code citations "39-3-401--39-3-404" and substituting instead the citations and word "39-3-403 or 39-3-404".

On motion, Amendment No. 2 was adopted.

Rep. Buck moved that House Bill No. 426, as amended, be passed on third and final consideration, which motion failed by the following vote:

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Ayes.	39
Noes.	49
Present and not voting.	4

Representatives voting aye were: Armstrong, Bell, Bivens, Bragg, Buck, Clark, Coffey, Crain, Curlee, DePriest, Dixon, Ellis, Gaia, Givens, Harrill, Herron, Hillis, Holt, Hubbard, Kisber, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Robinson (Davidson), Robinson (Washington), Starnes, Turner (Hamilton), West, Whitson, Winningham, Yelton, Mr. Speaker Murray -- 39.

Representatives voting no were: Anderson, Bittle, Burnett, Byrd, Callicott, Chiles, Copeland, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Duer, Good, Gunnels, Halteman, Hassell, Henry (Roane), Hobbs, Holcomb, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, McAfee, McDaniel, Moore (Shelby), Niceley, Nuber, Odom, Peroulas, Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, Williams, Wix, Wolfe, Wood -- 49.

Representatives present and not voting were: Cain, Garrett, Head, Love -- 4.

Pursuant to Rule No. 39, House Bill No. 426, having failed to receive a constitutional majority, was re-referred to the Committee on Calendar and Rules.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on House Bill No. 102 and have this statement entered in the Journal.

Rep. Robbie S. Wolfe

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on House Bill No. 102 and have this statement entered in the Journal.

Rep. Doug Gunnels

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REGULAR CALENDAR, CONTINUED

House Bill No. 0385 -- Motor Vehicles -- Increases amount of damage to property of another resulting from motor vehicle accident required before driver guilty of a misdemeanor for failure to stop at scene of accident. Amends TCA, Title 55, Chs. 10, 12.

On motion, House Bill No. 385 was made to conform with Senate Bill No. 607.

On motion, Senate Bill No. 607, on same subject, was substituted for House Bill No. 385.

Rep. Buck moved that Senate Bill No. 607 be passed on third and final consideration.

Rep. Rhinehart moved the previous question, which motion prevailed.

Thereupon, Rep. Buck moved that Senate Bill No. 607 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	78
Noes.	19

Representatives voting aye were: Anderson, Armstrong, Bell, Bivens, Bragg, Buck, Burnett, Cain, Callicott, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Head, Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stallings, Starnes, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 78.

Representatives voting no were: Bittle, Byrd, Chiles, Duer, Givens, Gunnels, Halteman, Hawkins, Henry (Putnam), Henry (Roane), Kent, Niceley, Nuber, Peroulas, Scruggs, Sipes, Stamps, Turner, C. (Shelby), Whitson -- 19.

A motion to reconsider was tabled.

*House Bill No. 1207 -- Alcoholic Beverages -- Expands definition of convention center. Amends TCA, Title 57.

On motion, House Bill No. 1207 was made to conform with Senate Bill No. 1345.

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On motion, Senate Bill No. 1345, on same subject, was substituted for House Bill No. 1207.

Rep. Huskey moved that Senate Bill No. 1345 be passed on third and final consideration.

Rep. Huskey moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1345 by deleting the language of the effective date section and by substituting instead the following:

This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Huskey moved that Senate Bill No. 1345, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	74
Noes.	22

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Buck, Burnett, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Harrill, Hassell, Head, Henry (Roane), Hillis, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Starnes, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Yelton, Mr. Speaker Murray -- 74.

Representatives voting no were: Bragg, Byrd, Cross, Curlee, Davis (Gibson), Halteman, Hawkins, Henry (Putnam), Herron, Hobbs, Holt, McAfee, McDaniel, Pinion, Shirley, Sipes, Stallings, Stamps, Turner, C. (Shelby), Whitson, Wolfe, Wood -- 22.

A motion to reconsider was tabled.

House Bill No. 0547 -- Health and Environment, Dept. of -- Provides that chronic diseases office provide community epilepsy education and support services to rural areas of state.

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Rep. Yelton moved that House Bill No. 547 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend House Bill 547 by deleting the first sentence of Section 1 in its entirety and substituting in lieu thereof the following:

Subject to such additional funds as may be made available by the general assembly in the annual appropriations act, the chronic disease office of the department of health and environment shall provide community epilepsy education and needed support services to the rural areas of Tennessee.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Yelton moved that House Bill No. 547, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 1059 -- Equalization Board -- Authorizes nonowner taxpayers to make complaint before the county boards of equalization. Amends TCA, Title 67, Ch. 5.

Rep. Williams moved that House Bill No. 1059 be reset to the Calendar for Monday, May 8, 1989, which motion prevailed.

MONDAY, MAY 1, 1989 -- FORTIETH LEGISLATIVE DAY

House Bill No. 0929 -- Partnerships -- Revises provisions of limited partnership law. Amends TCA, Title 61, Ch. 2, Pt. 1.

On motion, House Bill No. 929 was made to conform with Senate Bill No. 1081.

On motion, **Senate Bill No. 1081**, on same subject, was substituted for House Bill No. 929.

Rep. Dixon moved that Senate Bill No. 1081 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Hawkins, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

Representatives voting no were: Moody -- 1.

A motion to reconsider was tabled.

***House Bill No. 0930 -- Election Laws --** Requires placement in certain offices of state government dispensers containing voter registration by mail forms. Amends TCA, Title 2, Ch. 2.

Rep. Dixon moved that House Bill No. 930 be reset to the Calendar for the first available space in 1990, which motion prevailed.

***House Bill No. 0162 -- Unemployment Compensation --** Provides additional benefits for persons receiving unemployment benefits. Amends TCA, Title 50, Ch. 7.

Rep. Dixon moved that House Bill No. 162 be passed on third and final consideration.

Rep. Ellis moved to amend as follows:

Amendment No. 1

Amend House Bill No. 162 by deleting Sections 1 and 2 in their entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-7-301(b), is amended by deleting the first paragraph in its entirety and substituting the following:

"(b)(1) WEEKLY BENEFIT AMOUNT. An individual's weekly benefit amount shall be the amount appearing in column B in the applicable Benefit Table 1, 2, 3, 4, or 5, according to the provisions of this subsection, corresponding to the line on which column A of such table there appears the average total wages for insured work paid to such individual in the two (2) quarters in his base period in which such total wages are highest. Total wages for insured work as used herein shall be deemed to mean all remuneration paid to an employee in the base period by employers subject to this chapter."

SECTION 2. Tennessee Code Annotated, Section 50-7-301(b), is further amended by inserting the heading:

"BENEFIT TABLE 1

(Effective for Benefit Years Established Prior to July 2, 1989)" below the first paragraph and above the headings: "COLUMN A COLUMN B."

SECTION 3. Tennessee Code Annotated, Section 50-7-301(b), is further amended by adding at the end of such section the following:

"BENEFIT TABLE 2

(Effective for Benefit Years Established on or After July 2, 1989)

COLUMN A	COLUMN B
Average Wages Paid in Highest Two Quarters of Base Period	Weekly Benefit Amount
\$ 780.01 through \$ 806.00	\$ 30.00
806.01 through 832.00	31.00
832.01 through 858.00	32.00
858.01 through 884.00	33.00
884.01 through 910.00	34.00
910.01 through 936.00	35.00

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936.01	through	962.00	36.00
962.01	through	988.00	37.00
988.01	through	1,014.00	38.00
1,014.01	through	1,040.00	39.00
1,040.01	through	1,066.00	40.00
1,066.01	through	1,092.00	41.00
1,092.01	through	1,118.00	42.00
1,118.01	through	1,144.00	43.00
1,144.01	through	1,170.00	44.00
1,170.01	through	1,196.00	45.00
1,196.01	through	1,222.00	46.00
1,222.01	through	1,248.00	47.00
1,248.01	through	1,274.00	48.00
1,274.01	through	1,300.00	49.00
1,300.01	through	1,326.00	50.00
1,326.01	through	1,352.00	51.00
1,352.01	through	1,378.00	52.00
1,378.01	through	1,404.00	53.00
1,404.01	through	1,430.00	54.00
1,430.01	through	1,456.00	55.00
1,456.01	through	1,482.00	56.00
1,482.01	through	1,508.00	57.00
1,508.01	through	1,534.00	58.00
1,534.01	through	1,560.00	59.00
1,560.01	through	1,586.00	60.00
1,586.01	through	1,612.00	61.00
1,612.01	through	1,638.00	62.00
1,638.01	through	1,664.00	63.00
1,664.01	through	1,690.00	64.00
1,690.01	through	1,716.00	65.00
1,716.01	through	1,742.00	66.00
1,742.01	through	1,768.00	67.00
1,768.01	through	1,794.00	68.00
1,794.01	through	1,820.00	69.00
1,820.01	through	1,846.00	70.00
1,846.01	through	1,883.00	71.00
1,883.01	through	1,920.00	72.00
1,920.01	through	1,957.00	73.00
1,957.01	through	1,994.00	74.00
1,994.01	through	2,031.00	75.00
2,031.01	through	2,068.00	76.00
2,068.01	through	2,105.00	77.00
2,105.01	through	2,142.00	78.00
2,142.01	through	2,179.00	79.00
2,179.01	through	2,216.00	80.00
2,216.01	through	2,253.00	81.00
2,253.01	through	2,290.00	82.00
2,290.01	through	2,327.00	83.00
2,327.01	through	2,364.00	84.00
2,364.01	through	2,401.00	85.00
2,401.01	through	2,438.00	86.00
2,438.01	through	2,475.00	87.00
2,475.01	through	2,512.00	88.00

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2,512.01 through	2,549.00	89.00
2,549.01 through	2,586.00	90.00
2,586.01 through	2,623.00	91.00
2,623.01 through	2,660.00	92.00
2,660.01 through	2,697.00	93.00
2,697.01 through	2,734.00	94.00
2,734.01 through	2,771.00	95.00
2,771.01 through	2,808.00	96.00
2,808.01 through	2,845.00	97.00
2,845.01 through	2,882.00	98.00
2,882.01 through	2,919.00	99.00
2,919.01 through	2,956.00	100.00
2,956.01 through	2,993.00	101.00
2,993.01 through	3,030.00	102.00
3,030.01 through	3,067.00	103.00
3,067.01 through	3,104.00	104.00
3,104.01 through	3,141.00	105.00
3,141.01 through	3,178.00	106.00
3,178.01 through	3,215.00	107.00
3,215.01 through	3,252.00	108.00
3,252.01 through	3,289.00	109.00
3,289.01 through	3,326.00	110.00
3,326.01 through	3,363.00	111.00
3,363.01 through	3,400.00	112.00
3,400.01 through	3,437.00	113.00
3,437.01 through	3,474.00	114.00
3,474.01 through	3,511.00	115.00
3,511.01 through	3,548.00	116.00
3,548.01 through	3,585.00	117.00
3,585.01 through	3,622.00	118.00
3,622.01 through	3,659.00	119.00
3,659.01 through	3,696.00	120.00
3,696.01 through	3,733.00	121.00
3,733.01 through	3,770.00	122.00
3,770.01 through	3,807.00	123.00
3,807.01 through	3,844.00	124.00
3,844.01 through	3,881.00	125.00
3,881.01 through	3,918.00	126.00
3,918.01 through	3,955.00	127.00
3,955.01 through	3,992.00	128.00
3,992.01 through	4,029.00	129.00
4,029.01 through	4,066.00	130.00
4,066.01 through	4,103.00	131.00
4,103.01 through	4,140.00	132.00
4,140.01 through	4,177.00	133.00
4,177.01 through	4,214.00	134.00
4,214.01 through	4,251.00	135.00
4,251.01 through	4,288.00	136.00
4,288.01 through	4,325.00	137.00
4,325.01 through	4,362.00	138.00
4,362.01 through	4,399.00	139.00
4,399.01 through	4,436.00	140.00
4,436.01 through	4,473.00	141.00

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4,473.01 through	4,510.00	142.00
4,510.01 through	4,547.00	143.00
4,547.01 through	4,584.00	144.00
4,584.01 through	4,621.00	145.00
4,621.01 through	4,658.00	146.00
4,658.01 through	4,695.00	147.00
4,695.01 through	4,732.00	148.00
4,732.01 through	4,769.00	149.00
4,769.01 through	4,806.00	150.00
4,806.01 through	4,843.00	151.00
4,843.01 through	4,880.00	152.00
4,880.01 through	4,917.00	153.00
4,917.01 through	4,954.00	154.00
4,954.01 through	4,991.00	155.00

(Effective for Benefit Years Established on or After January 7, 1990)

4,991.01 through	5,028.00	156.00
5,028.01 through	5,065.00	157.00
5,065.01 through	5,102.00	158.00
5,102.01 through	5,139.00	159.00
5,139.01 through	5,176.00	160.00

(Effective for Benefit Years Established on or After January 6, 1991)

5,176.01 through	5,213.00	161.00
5,213.01 through	5,250.00	162.00
5,250.01 through	5,287.00	163.00
5,287.01 through	5,324.00	164.00
5,324.01 through	5,361.00	165.00

(Effective for Benefit Years Established on or After January 5, 1992)

5,361.01 through	5,398.00	166.00
5,398.01 through	5,435.00	167.00
5,435.01 through	5,472.00	168.00
5,472.01 through	5,509.00	169.00
5,509.01 and over		170.00

BENEFIT TABLE 3

(Effective for benefit years established on or after July 1, 1990, provided subsection (b)(2) of this section is met)

COLUMN A

COLUMN B

Average Wages Paid in Highest
Two Quarters of Base Period

Weekly Benefit
Amount

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\$ 780.01 through \$	806.00	\$ 30.00
806.01 through	832.00	31.00
832.01 through	858.00	32.00
858.01 through	884.00	33.00
884.01 through	910.00	34.00
910.01 through	936.00	35.00
936.01 through	962.00	36.00
962.01 through	988.00	37.00
988.01 through	1,014.00	38.00
1,014.01 through	1,040.00	39.00
1,040.01 through	1,066.00	40.00
1,066.01 through	1,092.00	41.00
1,092.01 through	1,118.00	42.00
1,118.01 through	1,144.00	43.00
1,144.01 through	1,170.00	44.00
1,170.01 through	1,196.00	45.00
1,196.01 through	1,222.00	46.00
1,222.01 through	1,248.00	47.00
1,248.01 through	1,274.00	48.00
1,274.01 through	1,300.00	49.00
1,300.01 through	1,326.00	50.00
1,326.01 through	1,352.00	51.00
1,352.01 through	1,378.00	52.00
1,378.01 through	1,404.00	53.00
1,404.01 through	1,430.00	54.00
1,430.01 through	1,456.00	55.00
1,456.01 through	1,482.00	56.00
1,482.01 through	1,508.00	57.00
1,508.01 through	1,534.00	58.00
1,534.01 through	1,560.00	59.00
1,560.01 through	1,586.00	60.00
1,586.01 through	1,612.00	61.00
1,612.01 through	1,638.00	62.00
1,638.01 through	1,664.00	63.00
1,664.01 through	1,690.00	64.00
1,690.01 through	1,716.00	65.00
1,716.01 through	1,742.00	66.00
1,742.01 through	1,768.00	67.00
1,768.01 through	1,794.00	68.00
1,794.01 through	1,820.00	69.00
1,820.01 through	1,846.00	70.00
1,846.01 through	1,880.00	71.00
1,880.01 through	1,914.00	72.00
1,914.01 through	1,948.00	73.00
1,948.01 through	1,982.00	74.00
1,982.01 through	2,016.00	75.00
2,016.01 through	2,050.00	76.00
2,050.01 through	2,084.00	77.00
2,084.01 through	2,118.00	78.00
2,118.01 through	2,152.00	79.00
2,152.01 through	2,186.00	80.00
2,186.01 through	2,220.00	81.00
2,220.01 through	2,254.00	82.00

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2,254.01	through	2,288.00	83.00
2,288.01	through	2,322.00	84.00
2,322.01	through	2,356.00	85.00
2,356.01	through	2,390.00	86.00
2,390.01	through	2,424.00	87.00
2,424.01	through	2,458.00	88.00
2,458.01	through	2,492.00	89.00
2,492.01	through	2,526.00	90.00
2,526.01	through	2,560.00	91.00
2,560.01	through	2,594.00	92.00
2,594.01	through	2,628.00	93.00
2,628.01	through	2,662.00	94.00
2,662.01	through	2,696.00	95.00
2,696.01	through	2,730.00	96.00
2,730.01	through	2,764.00	97.00
2,764.01	through	2,798.00	98.00
2,798.01	through	2,832.00	99.00
2,832.01	through	2,866.00	100.00
2,866.01	through	2,900.00	101.00
2,900.01	through	2,934.00	102.00
2,934.01	through	2,968.00	103.00
2,968.01	through	3,002.00	104.00
3,002.01	through	3,036.00	105.00
3,036.01	through	3,070.00	106.00
3,070.01	through	3,104.00	107.00
3,104.01	through	3,138.00	108.00
3,138.01	through	3,172.00	109.00
3,172.01	through	3,206.00	110.00
3,206.01	through	3,240.00	111.00
3,240.01	through	3,274.00	112.00
3,274.01	through	3,308.00	113.00
3,308.01	through	3,342.00	114.00
3,342.01	through	3,376.00	115.00
3,376.01	through	3,410.00	116.00
3,410.01	through	3,444.00	117.00
3,444.01	through	3,478.00	118.00
3,478.01	through	3,512.00	119.00
3,512.01	through	3,546.00	120.00
3,546.01	through	3,580.00	121.00
3,580.01	through	3,614.00	122.00
3,614.01	through	3,648.00	123.00
3,648.01	through	3,682.00	124.00
3,682.01	through	3,716.00	125.00
3,716.01	through	3,750.00	126.00
3,750.01	through	3,784.00	127.00
3,784.01	through	3,818.00	128.00
3,818.01	through	3,852.00	129.00
3,852.01	through	3,886.00	130.00
3,886.01	through	3,920.00	131.00
3,920.01	through	3,954.00	132.00
3,954.01	through	3,988.00	133.00
3,988.01	through	4,022.00	134.00
4,022.01	through	4,056.00	135.00

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4,056.01	through	4,090.00	136.00
4,090.01	through	4,124.00	137.00
4,124.01	through	4,158.00	138.00
4,158.01	through	4,192.00	139.00
4,192.01	through	4,226.00	140.00
4,226.01	through	4,260.00	141.00
4,260.01	through	4,294.00	142.00
4,294.01	through	4,328.00	143.00
4,328.01	through	4,362.00	144.00
4,362.01	through	4,396.00	145.00
4,396.01	through	4,430.00	146.00
4,430.01	through	4,464.00	147.00
4,464.01	through	4,498.00	148.00
4,498.01	through	4,532.00	149.00
4,532.01	through	4,566.00	150.00
4,566.01	through	4,600.00	151.00
4,600.01	through	4,634.00	152.00
4,634.01	through	4,668.00	153.00
4,668.01	through	4,702.00	154.00
4,702.01	through	4,736.00	155.00
4,736.01	through	4,770.00	156.00
4,770.01	through	4,804.00	157.00
4,804.01	through	4,838.00	158.00
4,838.01	through	4,872.00	159.00
4,872.01	through	4,906.00	160.00

(Effective for Benefit Years Established on or After January 6, 1991)

4,906.01	through	4,940.00	161.00
4,940.01	through	4,974.00	162.00
4,974.01	through	5,008.00	163.00
5,008.01	through	5,042.00	164.00
5,042.01	through	5,076.00	165.00

(Effective for Benefit Years Established on or After January 5, 1992)

5,076.01	through	5,110.00	166.00
5,110.01	through	5,144.00	167.00
5,144.01	through	5,178.00	168.00
5,178.01	through	5,212.00	169.00
5,212.01	and over		170.00

BENEFIT TABLE 4

(Effective for benefit years established on or after July 7, 1991, provided subsection (b)(2) of this section is met)

COLUMN A	COLUMN B
Average Wages Paid in Highest Two Quarters of Base Period	Weekly Benefit Amount

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780.01	through	806.00	30.00
806.01	through	832.00	31.00
832.01	through	858.00	32.00
858.01	through	884.00	33.00
884.01	through	910.00	34.00
910.01	through	936.00	35.00
936.01	through	962.00	36.00
962.01	through	988.00	37.00
988.01	through	1,014.00	38.00
1,014.01	through	1,040.00	39.00
1,040.01	through	1,066.00	40.00
1,066.01	through	1,092.00	41.00
1,092.01	through	1,118.00	42.00
1,118.01	through	1,144.00	43.00
1,144.01	through	1,170.00	44.00
1,170.01	through	1,196.00	45.00
1,196.01	through	1,222.00	46.00
1,222.01	through	1,248.00	47.00
1,248.01	through	1,274.00	48.00
1,274.01	through	1,300.00	49.00
1,300.01	through	1,326.00	50.00
1,326.01	through	1,352.00	51.00
1,352.01	through	1,378.00	52.00
1,378.01	through	1,404.00	53.00
1,404.01	through	1,430.00	54.00
1,430.01	through	1,456.00	55.00
1,456.01	through	1,482.00	56.00
1,482.01	through	1,508.00	57.00
1,508.01	through	1,534.00	58.00
1,534.01	through	1,560.00	59.00
1,560.01	through	1,586.00	60.00
1,586.01	through	1,612.00	61.00
1,612.01	through	1,638.00	62.00
1,638.01	through	1,664.00	63.00
1,664.01	through	1,690.00	64.00
1,690.01	through	1,716.00	65.00
1,716.01	through	1,742.00	66.00
1,742.01	through	1,768.00	67.00
1,768.01	through	1,794.00	68.00
1,794.01	through	1,820.00	69.00
1,820.01	through	1,846.00	70.00
1,846.01	through	1,874.00	71.00
1,874.01	through	1,902.00	72.00
1,902.01	through	1,930.00	73.00
1,930.01	through	1,958.00	74.00
1,958.01	through	1,986.00	75.00
1,986.01	through	2,014.00	76.00
2,014.01	through	2,042.00	77.00
2,042.01	through	2,070.00	78.00
2,070.01	through	2,098.00	79.00
2,098.01	through	2,126.00	80.00
2,126.01	through	2,154.00	81.00
2,154.01	through	2,182.00	82.00

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2,182.01	through	2,210.00	83.00
2,210.01	through	2,238.00	84.00
2,238.01	through	2,266.00	85.00
2,266.01	through	2,294.00	86.00
2,294.01	through	2,322.00	87.00
2,322.01	through	2,350.00	88.00
2,350.01	through	2,378.00	89.00
2,378.01	through	2,406.00	90.00
2,406.01	through	2,434.00	91.00
2,434.01	through	2,462.00	92.00
2,462.01	through	2,490.00	93.00
2,490.01	through	2,518.00	94.00
2,518.01	through	2,546.00	95.00
2,546.01	through	2,574.00	96.00
2,574.01	through	2,602.00	97.00
2,602.01	through	2,630.00	98.00
2,630.01	through	2,658.00	99.00
2,658.01	through	2,686.00	100.00
2,686.01	through	2,714.00	101.00
2,714.01	through	2,742.00	102.00
2,742.01	through	2,770.00	103.00
2,770.01	through	2,798.00	104.00
2,798.01	through	2,826.00	105.00
2,826.01	through	2,854.00	106.00
2,854.01	through	2,882.00	107.00
2,882.01	through	2,910.00	108.00
2,910.01	through	2,938.00	109.00
2,938.01	through	2,966.00	110.00
2,966.01	through	2,994.00	111.00
2,994.01	through	3,022.00	112.00
3,022.01	through	3,050.00	113.00
3,050.01	through	3,078.00	114.00
3,078.01	through	3,106.00	115.00
3,106.01	through	3,134.00	116.00
3,134.01	through	3,162.00	117.00
3,162.01	through	3,190.00	118.00
3,190.01	through	3,218.00	119.00
3,218.01	through	3,246.00	120.00
3,246.01	through	3,274.00	121.00
3,274.01	through	3,302.00	122.00
3,302.01	through	3,330.00	123.00
3,330.01	through	3,358.00	124.00
3,358.01	through	3,386.00	125.00
3,386.01	through	3,414.00	126.00
3,414.01	through	3,442.00	127.00
3,442.01	through	3,470.00	128.00
3,470.01	through	3,498.00	129.00
3,498.01	through	3,526.00	130.00
3,526.01	through	3,554.00	131.00
3,554.01	through	3,582.00	132.00
3,582.01	through	3,610.00	133.00
3,610.01	through	3,638.00	134.00
3,638.01	through	3,666.00	135.00

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3,666.01 through	3,694.00	136.00
3,694.01 through	3,722.00	137.00
3,722.01 through	3,750.00	138.00
3,750.01 through	3,778.00	139.00
3,778.01 through	3,806.00	140.00
3,806.01 through	3,834.00	141.00
3,834.01 through	3,862.00	142.00
3,862.01 through	3,890.00	143.00
3,890.01 through	3,918.00	144.00
3,918.01 through	3,946.00	145.00
3,946.01 through	3,974.00	146.00
3,974.01 through	4,002.00	147.00
4,002.01 through	4,030.00	148.00
4,030.01 through	4,058.00	149.00
4,058.01 through	4,086.00	150.00
4,086.01 through	4,114.00	151.00
4,114.01 through	4,142.00	152.00
4,142.01 through	4,170.00	153.00
4,170.01 through	4,198.00	154.00
4,198.01 through	4,226.00	155.00
4,226.01 through	4,254.00	156.00
4,254.01 through	4,282.00	157.00
4,282.01 through	4,310.00	158.00
4,310.01 through	4,338.00	159.00
4,338.01 through	4,366.00	160.00
4,366.01 through	4,394.00	161.00
4,394.01 through	4,422.00	162.00
4,422.01 through	4,450.00	163.00
4,450.01 through	4,478.00	164.00
4,478.01 through	4,506.00	165.00

(Effective for Benefit Years Established on or After January 5, 1992)

4,506.01 through	4,534.00	166.00
4,534.01 through	4,562.00	167.00
4,562.01 through	4,590.00	168.00
4,590.01 through	4,618.00	169.00
4,618.01 and over		170.00

BENEFIT TABLE 5

(Effective for benefit years established on or after July 5, 1992, provided subsection (b)(2) of this section is met)

COLUMN A	COLUMN B
Average Wages Paid in Highest Two Quarters of Base Period	Weekly Benefit Amount
\$ 780.01 through	\$ 30.00
806.01 through	31.00

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832.01	through	858.00	32.00
858.01	through	884.00	33.00
884.01	through	910.00	34.00
910.01	through	936.00	35.00
936.01	through	962.00	36.00
962.01	through	988.00	37.00
988.01	through	1,014.00	38.00
1,014.01	through	1,040.00	39.00
1,040.01	through	1,066.00	40.00
1,066.01	through	1,092.00	41.00
1,092.01	through	1,118.00	42.00
1,118.01	through	1,144.00	43.00
1,144.01	through	1,170.00	44.00
1,170.01	through	1,196.00	45.00
1,196.01	through	1,222.00	46.00
1,222.01	through	1,248.00	47.00
1,248.01	through	1,274.00	48.00
1,274.01	through	1,300.00	49.00
1,300.01	through	1,326.00	50.00
1,326.01	through	1,352.00	51.00
1,352.01	through	1,378.00	52.00
1,378.01	through	1,404.00	53.00
1,404.01	through	1,430.00	54.00
1,430.01	through	1,456.00	55.00
1,456.01	through	1,482.00	56.00
1,482.01	through	1,508.00	57.00
1,508.01	through	1,534.00	58.00
1,534.01	through	1,560.00	59.00
1,560.01	through	1,586.00	60.00
1,586.01	through	1,612.00	61.00
1,612.01	through	1,638.00	62.00
1,638.01	through	1,664.00	63.00
1,664.01	through	1,690.00	64.00
1,690.01	through	1,716.00	65.00
1,716.01	through	1,742.00	66.00
1,742.01	through	1,768.00	67.00
1,768.01	through	1,794.00	68.00
1,794.01	through	1,820.00	69.00
1,820.01	through	1,846.00	70.00
1,846.01	through	1,872.00	71.00
1,872.01	through	1,898.00	72.00
1,898.01	through	1,924.00	73.00
1,924.01	through	1,950.00	74.00
1,950.01	through	1,976.00	75.00
1,976.01	through	2,002.00	76.00
2,002.01	through	2,028.00	77.00
2,028.01	through	2,054.00	78.00
2,054.01	through	2,080.00	79.00
2,080.01	through	2,106.00	80.00
2,106.01	through	2,132.00	81.00
2,132.01	through	2,158.00	82.00
2,158.01	through	2,184.00	83.00
2,184.01	through	2,210.00	84.00

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2,210.01	through	2,236.00	85.00
2,236.01	through	2,262.00	86.00
2,262.01	through	2,288.00	87.00
2,288.01	through	2,314.00	88.00
2,314.01	through	2,340.00	89.00
2,340.01	through	2,366.00	90.00
2,366.01	through	2,392.00	91.00
2,392.01	through	2,418.00	92.00
2,418.01	through	2,444.00	93.00
2,444.01	through	2,470.00	94.00
2,470.01	through	2,496.00	95.00
2,496.01	through	2,522.00	96.00
2,522.01	through	2,548.00	97.00
2,548.01	through	2,574.00	98.00
2,574.01	through	2,600.00	99.00
2,600.01	through	2,626.00	100.00
2,626.01	through	2,652.00	101.00
2,652.01	through	2,678.00	102.00
2,678.01	through	2,704.00	103.00
2,704.01	through	2,730.00	104.00
2,730.01	through	2,756.00	105.00
2,756.01	through	2,782.00	106.00
2,782.01	through	2,808.00	107.00
2,808.01	through	2,834.00	108.00
2,834.01	through	2,860.00	109.00
2,860.01	through	2,886.00	110.00
2,886.01	through	2,912.00	111.00
2,912.01	through	2,938.00	112.00
2,938.01	through	2,964.00	113.00
2,964.01	through	2,990.00	114.00
2,990.01	through	3,016.00	115.00
3,016.01	through	3,042.00	116.00
3,042.01	through	3,068.00	117.00
3,068.01	through	3,094.00	118.00
3,094.01	through	3,120.00	119.00
3,120.01	through	3,146.00	120.00
3,146.01	through	3,172.00	121.00
3,172.01	through	3,198.00	122.00
3,198.01	through	3,224.00	123.00
3,224.01	through	3,250.00	124.00
3,250.01	through	3,276.00	125.00
3,276.01	through	3,302.00	126.00
3,302.01	through	3,328.00	127.00
3,328.01	through	3,354.00	128.00
3,354.01	through	3,380.00	129.00
3,380.01	through	3,406.00	130.00
3,406.01	through	3,432.00	131.00
3,432.01	through	3,458.00	132.00
3,458.01	through	3,484.00	133.00
3,484.01	through	3,510.00	134.00
3,510.01	through	3,536.00	135.00
3,536.01	through	3,562.00	136.00
3,562.01	through	3,588.00	137.00

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3,588.01 through	3,614.00	138.00
3,614.01 through	3,640.00	139.00
3,640.01 through	3,666.00	140.00
3,666.01 through	3,692.00	141.00
3,692.01 through	3,718.00	142.00
3,718.01 through	3,744.00	143.00
3,744.01 through	3,770.00	144.00
3,770.01 through	3,796.00	145.00
3,796.01 through	3,822.00	146.00
3,822.01 through	3,848.00	147.00
3,848.01 through	3,874.00	148.00
3,874.01 through	3,900.00	149.00
3,900.01 through	3,926.00	150.00
3,926.01 through	3,952.00	151.00
3,952.01 through	3,978.00	152.00
3,978.01 through	4,004.00	153.00
4,004.01 through	4,030.00	154.00
4,030.01 through	4,056.00	155.00
4,056.01 through	4,082.00	156.00
4,082.01 through	4,108.00	157.00
4,108.01 through	4,134.00	158.00
4,134.01 through	4,160.00	159.00
4,160.01 through	4,186.00	160.00
4,186.01 through	4,212.00	161.00
4,212.01 through	4,238.00	162.00
4,238.01 through	4,264.00	163.00
4,264.01 through	4,290.00	164.00
4,290.01 through	4,316.00	165.00
4,316.01 through	4,342.00	166.00
4,342.01 through	4,368.00	167.00
4,368.01 through	4,394.00	168.00
4,394.01 through	4,420.00	169.00
4,420.01 and over		170.00

(2) Benefit Tables 3, 4, and 5 shall go into effect on or after the first Sunday on or after a July 1 or a January 1 that Premium Table 6 is in effect pursuant to Sections 50-7-403(g) and 50-7-403(k), provided:

(A) Such Sunday is on or after the designated date set forth in subsection (b)(1) of this section for the applicable Benefit Table; and

(B) The previous Benefit Table was in effect on the preceding June 30 or December 31, whichever is most recent."

SECTION 4. Tennessee Code Annotated, Section 50-7-301(d), is amended by deleting the words and numerals immediately following the words and numerals "forty times (40) his weekly benefit amount and provided further," in their entirety and substituting instead the following:

"no claimant will be entitled to benefits if his base period earnings, outside his highest quarter of earnings, are less than the lesser of six (6) times his weekly benefit amount or nine hundred dollars (\$900)."

SECTION 5. Tennessee Code Annotated, Section 50-7-402, is amended by deleting the heading in its entirety and substituting instead the following words and punctuation:

"Rate of premiums."

SECTION 6. Tennessee Code Annotated, Section 50-7-402, is further amended by deleting subsection (c) in its entirety.

SECTION 7. Tennessee Code Annotated, Section 50-7-403(b), is amended by deleting the word "tables" wherever it appears and substituting instead the words: "Premium Tables".

SECTION 8. Tennessee Code Annotated, Section 50-7-403(g), is amended by deleting the numerals "1983" in the first sentence and substituting instead the numerals "1989".

SECTION 9. Tennessee Code Annotated, Section 50-7-403(g), is further amended by deleting the words "Reserve Ratio Percent" and "Rate" and the headings for tables 1, 2, 3, 4, 5, and 6 and substituting instead the following heading:

"RESERVE

RATE

RATIO PREMIUM PREMIUM PREMIUM PREMIUM PREMIUM PREMIUM
PERCENT TABLE 1 TABLE 2 TABLE 3 TABLE 4 TABLE 5 TABLE 6"

SECTION 10. Tennessee Code Annotated, Section 50-7-403(g), is further amended by deleting the word "Table" in the second paragraph and substituting instead the words: "Premium Table".

SECTION 11. Tennessee Code Annotated, Section 50-7-403(g), is further amended by deleting the heading for table 7 and substituting instead the following heading:

"PREMIUM TABLE 7

Applicable to Governmental Employers"

SECTION 12. Tennessee Code Annotated, Section 50-7-403, is further amended by deleting the subsection (k)

in its entirety and substituting instead the following:

"(k)

(1) The commissioner shall on June 30 and December 31 of each year make and publish findings as to the balance in the unemployment compensation trust fund. The balance the commissioner finds in the trust fund shall determine the appropriate Premium Table applicable for the subsequent six-month period as to all employers who qualify under the provisions of subsection (f) hereof.

(2)

(A) The trust fund balance as determined in subsection (1) hereof shall be applicable to Premium Tables 1, 2, 3, 4, 5, and 6 as provided in 50-7-403(g) of this section and shall be applied as set forth below for the twelve-month period beginning July 1, 1989:

PREMIUM PREMIUM PREMIUM PREMIUM PREMIUM PREMIUM
TABLE 1 TABLE 2 TABLE 3 TABLE 4 TABLE 5 TABLE 6

Trust Fund Under \$150 Million	Trust Fund Under \$200 Million	Trust Fund Under \$250 Million	Trust Fund Under \$300 Million	Trust Fund Under \$350 Million	Trust Fund Over \$350 Million
to Under \$200 Million	to Under \$250 Million	to Under \$300 Million	to Under \$350 Million	to Under \$400 Million	to Under \$450 Million

(B) The trust fund balance as determined in subsection (1) hereof shall be applicable to Premium Tables 1, 2, 3, 4, 5, and 6 as provided in 50-7-403(g) of this section and shall be applied as set forth below for the twelve-month period beginning July 1, 1990:

PREMIUM PREMIUM PREMIUM PREMIUM PREMIUM PREMIUM
TABLE 1 TABLE 2 TABLE 3 TABLE 4 TABLE 5 TABLE 6

Trust Fund Under \$200 Million	Trust Fund Under \$250 Million	Trust Fund Under \$300 Million	Trust Fund Under \$350 Million	Trust Fund Under \$400 Million	Trust Fund Over \$400 Million
to Under \$250 Million	to Under \$300 Million	to Under \$350 Million	to Under \$400 Million	to Under \$450 Million	to Under \$500 Million

(C) The trust fund balance as determined in subsection (1) hereof shall be applicable to Premium Tables 1, 2, 3, 4, 5, and 6 as provided in 50-7-403(g) of this section and shall be applied as set forth below for the twelve-month period beginning July 1, 1991:

PREMIUM PREMIUM PREMIUM PREMIUM PREMIUM PREMIUM
TABLE 1 TABLE 2 TABLE 3 TABLE 4 TABLE 5 TABLE 6

Trust Fund Under \$250 Million	Trust Fund \$250 Million to Under \$300 Million	Trust Fund \$300 Million to Under \$350 Million	Trust Fund \$350 Million to Under \$400 Million	Trust Fund \$400 Million to Under \$450 Million	Trust Fund \$450 Million and Over
--	--	--	--	--	--

(D) The trust fund balance as determined in subsection (1) hereof shall be applicable to Premium Tables 1, 2, 3, 4, 5, and 6 as provided in 50-7-403(g) of this section and shall be applied as set forth below beginning July 1, 1992:

PREMIUM PREMIUM PREMIUM PREMIUM PREMIUM PREMIUM
TABLE 1 TABLE 2 TABLE 3 TABLE 4 TABLE 5 TABLE 6

Trust Fund Under \$300 Million	Trust Fund \$300 Million to Under \$350 Million	Trust Fund \$350 Million to Under \$400 Million	Trust Fund \$400 Million to Under \$450 Million	Trust Fund \$450 Million to Under \$500 Million	Trust Fund \$500 Million and Over
--	--	--	--	--	--

(3) This section shall not apply to those employers referred to in Tennessee Code Annotated, Section 50-7-207(b)(3)(A) and (b)(3)(B)."

SECTION 13. Sections 1, 2, 3, 5, and 6 of this act shall take effect upon becoming law; Section 4 shall take effect for benefit years established on or after July 2, 1989; Sections 7, 8, 9, 10 and 11 shall take effect July 1, 1989; and Section 12 shall take effect June 30, 1989, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Dixon moved that House Bill No. 162, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. 92
Noes. 1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

Representatives voting no were: Nuber -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on House Bill No. 162 and have this statement entered in the Journal.

Rep. Richard Nuber

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on House Bill No. 102 and have this statement entered in the Journal.

Rep. Lane Curlee

REGULAR CALENDAR, CONTINUED

*House Bill No. 0355 -- Telecommunications -- Regulates operator assisted telephone services. Amends TCA 47-18-104; Title 65, Ch. 5, Pt. 2.

Rep. Miller moved that House Bill No. 355 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend House Bill No. 355 by deleting in its entirety the language of subsection (a) of Section 1 and by substituting the following in lieu thereof:

- (a) any telephone carrier offering or providing operator assisted services in Tennessee whose intrastate rates exceed by more than five percent (5%) the maximum rates approved by the Tennessee Public Service Commission (TPSC) or whose interstate rates exceed by more than five percent (5%) the maximum rates approved by the Federal Communications Commission (FCC) shall before providing the service;
 - (1) identify, by name, the carrier providing the service;
 - (2) state all applicable charges for providing the service;
 - (3) offer to switch the customer to the carrier of his choice offering operator assisted services and inform the customer that the switch shall be made without charge.

Section 1 is further amended by deleting the phrase "based on the carrier's cost of providing service" from subsection (b)(3); by adding the phrase or "00" in subsection (b)(1) after the phrase "dialing 0"; and by adding the following language to subsection (b)(2):

If, however, the intrastate, operator-assisted call is billed to an address outside Tennessee, the maximum rate applicable to the carrier under subsection (a) may include a surcharge representing the difference, if any, between the billing and collection rates charged by local exchange carriers in Tennessee and the rates charged by local exchange carriers in other states. Any such surcharge must be approved by the TPSC.

The bill is further amended by deleting Section 3 and substituting the following in lieu thereof:

Section 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

And further amend by adding the following:

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Section 4. This act shall take effect upon becoming law, the public welfare requiring it.

Rep. Miller moved that House Bill No. 355 be reset to the Calendar for Monday, May 8, 1989, which motion prevailed.

*House Bill No. 1099 -- Salaries and Benefits -- Revises salary levels of certain public officials. Amends TCA, Title 8, Ch. 23.

Rep. Wheeler moved that House Bill No. 1099 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1099 by deleting Section 3 in its entirety and by substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 8-23-101(f)(3), is amended by deleting the language of the subdivision in its entirety and by substituting instead the following:

(f)(3) Public service commissioners shall be paid the same annual salary, including any increases in such salary, as the comptroller of the treasury, the secretary of state and the state treasurer.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved to amend as follows:

Amendment No. 2

Amend House Bill No. 1099 by deleting Section 3 in its entirety and substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 8-23-101(F)(3), is amended by deleting the language of the subdivision in its entirety and by substituting instead the following:

(f)

(3) Notwithstanding any provision of law to the contrary effective July 1, 1989, the annual salary for Public Service Commissioners shall be set at \$65,000.

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Rep. Wheeler moved that House Bill No. 1099 be reset to the Calendar for Monday, May 8, 1989, which motion prevailed.

House Bill No. 1132 -- Education -- Enacts the "Parent-Teacher Partnership Act of 1989". Amends TCA, Title 49, Ch. 6.

Rep. Turner (Hamilton) moved that House Bill No. 1132 be reset to the Calendar for Monday, May 8, 1989, which motion prevailed.

House Bill No. 0176 -- Public Contracts -- Changes type of business eligible for set-aside of portion of public educational procurement funds. Amends TCA 49-3-322, 49-8-114.

On motion, House Bill No. 176 was made to conform with Senate Bill No. 958.

On motion, **Senate Bill No. 958**, on same subject was substituted for House Bill No. 176.

Rep. Dixon moved that Senate Bill No. 958 be reset to the Calendar for Monday, May 8, 1989, which motion prevailed.

CONSENT CALENDAR

***House Bill No. 0035 -- Administrative Procedure -- Extends certain agency rules scheduled to expire pursuant to Uniform Administrative Procedures Act. Amends TCA, Title 4, Ch. 5.**

***House Bill No. 0029 -- Sunset Laws -- Extends termination date of department of general services. Amends TCA, Title 4, Chs. 3, 8, 12, 25, 28, 29; Title 8, Ch. 22; Title 10, Ch. 7; Title 12, Chs. 2--5, 7; Title 16, Ch. 22; Title 33, Ch. 2; Title 39, Ch. 1; Title 53, Ch. 11; Title 55, Ch. 5; Title 57, Ch. 5; Title 62, Ch. 6; Title 64, Ch. 2; Title 67, Ch. 4; Title 71, Ch. 4.**

On motion, House Bill No. 29 was made to conform with Senate Bill No. 132.

On motion, **Senate Bill No. 132**, on same subject was substituted for House Bill No. 29.

***House Bill No. 0315 -- Real Estate Agents and Brokers -- Revises requirements for real estate educational courses, recovery funds, continuing education, firm license, and firm escrow accounts. Amends TCA 62-13-106, 62-13-208, 62-13-303, 309.**

House Bill No. 0891 -- Utilities, Utility Districts -- Authorizes board of commissioners in utility district in certain counties to be appointed by county executive; provides for per diem payment for members. Amends TCA, Title 7, Ch. 82.

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On motion, House Bill No. 891 was made to conform with Senate Bill No. 748.

On motion, Senate Bill 748, on same subject was substituted for House Bill No. 891.

House Bill No. 0725 -- Contractors -- Includes certain masonry work within definition of "contracting". Amends TCA, Title 62, Ch. 6.

House Bill No. 0349 -- Highways, Roads and Bridges -- Designates certain roads in Davidson County as scenic highways. Amends TCA 54-17-114.

On motion, House Bill No. 349 was made to conform with Senate Bill No. 709.

On motion, Senate Bill No. 709, on same subject was substituted for House Bill No. 349.

*House Joint Resolution No. 0184 -- Highway Signs -- Names bridge spanning Weakley Creek in memory of Charlie Wells.

House Resolution No. 0025 -- Memorials, Personal Achievement -- Congratulates Gwendolyn Karen Warren, high academic achiever of Oakland High School.

House Resolution No. 0026 -- Memorials, Personal Achievement -- Congratulates Sparkle Ann Whitaker, Valedictorian of Eagleville High School.

House Resolution No. 0027 -- Memorials, Personal Achievement -- Honors Mini Dogra, Valedictorian of Page High School.

House Resolution No. 0028 -- Memorials, Personal Achievement -- Honors Cassie Courville, Salutatorian of Smyrna High School.

House Resolution No. 0029 -- Memorials, Personal Achievement -- Honors Carolyn Pinckley, Salutatorian of LaVergne High School.

House Resolution No. 0030 -- Memorials, Personal Achievement -- Honors Jennifer Lee Burnette for high academic achievement.

House Resolution No. 0031 -- Memorials, Personal Achievement -- Honors Kelli Coffey, Valedictorian of Smyrna High School.

House Resolution No. 0032 -- Memorials, Personal Achievement -- Congratulates Melanie D. Crossley, Salutatorian of Eagleville High School.

House Resolution No. 0033 -- Memorials, Personal Achievement -- Congratulates Callie Goedde, Valedictorian of Riverdale High School.

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House Resolution No. 0034 -- Memorials, Personal Achievement -- Honors Renee' Layne Webb for high academic achievement.

House Resolution No. 0035 -- Memorials, Personal Achievement -- Honors Laura R. Baskin, Valedictorian of Oakland High School.

House Resolution No. 0036 -- Memorials, Personal Achievement -- Honors Erika Peebles, Salutatorian of Smyrna High School.

House Resolution No. 0037 -- Memorials, Personal Achievement -- Honors Sean Smith, Salutatorian of Page High School.

House Resolution No. 0038 -- Memorials, Personal Achievement -- Honors Catherine Ann Bordash for high academic achievement.

House Resolution No. 0039 -- Memorials, Personal Achievement -- Congratulates Jennifer Stalvey, Salutatorian of Riverdale High School.

House Resolution No. 0040 -- Memorials, Personal Achievement -- Congratulates Kelly B. Seab, high academic achiever of Oakland High School.

House Resolution No. 0042 -- Memorials, Personal Achievement -- Honors Carolyn Chesebro, Valedictorian of LaVergne High School.

House Resolution No. 0044 -- Memorials, Personal Achievement -- Congratulates Rebecca Merrill, Salutatorian of Riverdale High School.

House Joint Resolution No. 0313 -- Memorials, Condolence -- Honors memory of Clark D. Williford.

House Joint Resolution No. 0317 -- Memorials, Public Service -- Honors Dr. Roy Lanier, former General Assembly member.

House Joint Resolution No. 0318 -- Memorials, Public Service -- Honors Motlow State Community College on twentieth anniversary.

House Joint Resolution No. 0319 -- Memorials, Personal Achievement -- Honors Jeffery Alcorn, Salutatorian of Upperman High School.

House Joint Resolution No. 0321 -- Memorials, Condolence -- Expresses sorrow at death of Charles Edward Shoopman.

House Joint Resolution No. 0322 -- Memorials, Recognition and Thanks -- Honors Theodore R. Bryant of Chattanooga.

House Joint Resolution No. 0323 -- Memorials, Sports -- Congratulates Scott High School boys' basketball team on capturing district 4AA championship.

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***House Joint Resolution No. 0324** -- General Assembly, Statement of Intent Or Position -- Recognizes 75th anniversary of Smith-Lever Act and role in establishing nation's system of State Cooperative Extension Services.

House Joint Resolution No. 0326 -- Memorials, Personal Occasion -- Honors Shirley and Ralph Packett on 32rd wedding anniversary.

House Joint Resolution No. 0328 -- Memorials, Personal Occasion -- Congratulates Dorothy Alise Phillips on birthday.

House Joint Resolution No. 0330 -- Memorials, Interns and Pages -- Honors Jill Markle, 1989 legislative intern.

House Joint Resolution No. 0331 -- Memorials, Professional Achievement -- Honors Dwight Hawkersmith for achievements in Tae Kwon-Do.

House Joint Resolution No. 0332 -- Memorials, Professional Achievement -- Honors Ray "Gabby" Street on entry into TSSAA Hall of Fame.

House Joint Resolution No. 0335 -- Memorials, Personal Achievement -- Honors Tamara Phillips.

House Joint Resolution No. 0336 -- Memorials, Personal Achievement -- Honors Jimmy B. Johnson, Valedictorian of Upperman High School.

House Joint Resolution No. 0338 -- Memorials, Personal Achievement -- Honors Amy Winfree.

House Joint Resolution No. 0339 -- Memorials, Personal Achievement -- Honors Audrey Tolbert, Salutatorian of Cookeville High School.

House Joint Resolution No. 0340 -- Memorials, Personal Achievement -- Honors Ranjana Sahai, Valedictorian of Cookeville High School.

House Joint Resolution No. 0341 -- Memorials, Personal Achievement -- Honors Paul Gilpatrick, Valedictorian of Monterey High School.

House Bill No. 1503 -- Franklin -- Revises charter. Amends Chapter 79, Acts of 1903, as amended.

House Bill No. 1506 -- Henry County -- Redefines jurisdiction of general sessions court. Repeals Chapter 116, Private Acts of 1981, as amended.

Senate Joint Resolution No. 0243 -- Memorials, Interns and Pages -- Honors Fiona E. McAnally, 1989 legislative intern.

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Senate Joint Resolution No. 0252 -- Memorials, Public Service -- Congratulates Elder Spencer H. Osborn, member of Second Quorum of the Seventy of Church of Jesus Christ of Latter-Day Saints.

Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

*House Bill No. 0030 -- Sunset Laws -- Extends termination date of the department of mental health and mental retardation, board of trustees. Amends TCA, Title 4, Ch. 29; Title 33, Chs. 1, 2.

Senate Amendment No. 1

Amend House Bill No. 30 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____ Tennessee Code Annotated, Section 33-2-202(b), is amended by deleting the language "mental retardation" and by substituting instead the following:

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mental retardation, to the chairman of the house government operations committee, and to the chairman of the senate government operations committee,

Rep. King moved that the House concur in Senate Amendment(s) No(s). 1, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitton, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

*House Bill No. 0193 -- Boards and Commissions -- Revises certain penalties imposed by certain agencies, boards, and commissions. Amends TCA, Title 4, Ch. 3, Pt. 13; Title 56, Ch. 1, Pt. 3; Titles 62, 63.

Rep. Scruggs moved that the House refuse to recede from its action in nonconcurring in Senate Amendment(s) No(s). 2 to House Bill No. 193, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED

Pursuant to Rule No. 73, Representative Scruggs moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 193, which motion prevailed.

The Speaker appointed Representatives Scruggs, Kisber and Rhinehart as the House members of the Conference Committee on House Bill No. 193.

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HOUSE ACTION ON SENATE AMENDMENTS, CONTINUED

House Bill No. 0215 -- Sunset Laws -- Extends termination date of Arlington development center. Amends TCA, Title 4, Chs. 3, 29; Title 33, Ch. 2.

Senate Amendment No. 1

Amend House Bill No. 215 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 33-2-202(b), is amended by deleting the language "mental retardation" and by substituting instead the following:

mental retardation; to the chairman of the house government operations committee, and to the chairman of the senate government operations committee,

Rep. King moved that the House concur in Senate Amendment(s) No(s). 1, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Wix moved that the rules be suspended to recall Senate Joint Resolution No. 244 from the Calendar and Rules Committee for immediate consideration, which motion prevailed.

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Senate Joint Resolution No. 0244 -- General Assembly, Proclamations -- Proclaims May 17, 1989 as Police Memorial Day and May 14-20, 1989 as Police Memorial Week.

On motion of Rep. Wix, the resolution was concurred in.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

May 1, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 273, 274 and 275; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0273 -- Memorials, Interns and Pages -- Recognizes Carl L. Shafer, 1989 legislative intern.

Senate Joint Resolution No. 0274 -- Memorials, Recognition and Thanks -- Honors Brother Malcolm Hill for service to Christian ministry.

Senate Joint Resolution No. 0275 -- Memorials, Sports -- Honors Coach Eddie H. "Jellie" Watson.

RULES SUSPENDED

Rep. Hillis moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 275 out of order, which motion prevailed.

Senate Joint Resolution No. 0275 -- Memorials, Sports -- Honors Coach Eddie H. "Jellie" Watson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hillis, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Hillis moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 274 out of order, which motion prevailed.

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Senate Joint Resolution No. 0274 -- Memorials, Recognition and Thanks -- Honors Brother Malcolm Hill for service to Christian ministry.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hillis, the resolution was concurred in.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

May 1, 1989

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1132, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

NOTICE TO ACT ON SENATE AMENDMENTS

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Thursday, May 4, 1989:

House Bill No. 680: Rep. Holcomb.

House Bill No. 1150: Rep. Dixon.

Senate Bill No. 270: Rep. Wheeler.

Senate Bill No. 1132: Rep. DeBerry.

RULES SUSPENDED

Rep. Kisber moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 352 out of order, which motion prevailed.

House Joint Resolution No. 0352 -- Memorials, Public Service -- Honors Ada Mary Grogan on her outstanding life of service. by *Kisber, *Naifeh.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kisber, the resolution was adopted.

A motion to reconsider was tabled.

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SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 267: Rep(s). Ussery added as prime sponsor(s).

House Bill No. 547: Rep(s). Peroulas added as prime sponsor(s).

House Bill No. 1053: Rep(s). Chiles added as prime sponsor(s).

House Resolution No. 25: Rep(s). Bragg added as prime sponsor(s).

House Resolution No. 33: Rep(s). Bragg added as prime sponsor(s).

House Resolution No. 39: Rep(s). Bragg added as prime sponsor(s).

House Resolution No. 40: Rep(s). Bragg added as prime sponsor(s).

House Resolution No. 44: Rep(s). Bragg added as prime sponsor(s).

House Joint Resolution No. 324: Rep(s). Bell, DePriest, Gunnels, Moore C, Pinion, Robinson Ruth, Stallings added as prime sponsor(s).

House Joint Resolution No. 352: Rep(s). Naifeh added as prime sponsor(s).

House Joint Resolution No. 355: Rep(s). Cain added as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep. Halteman was removed as sponsor of House Bill No. 1099.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 0045 -- Memorials, Public Service -- Commends Robert L. Trantham on service with Brownsville Haywood County Chamber of Commerce. by *Crain.

The Speaker referred House Resolution No. 45 to the Calendar and Rules Committee.

House Resolution No. 0046 -- Memorials, Public Service -- Congratulates LaFollette Housing Authority on receiving honorable mention certificate in 1988 Region IV Public Housing Agency Performance Awards Program. by *Wheeler, *Cross.

The Speaker referred House Resolution No. 46 to the Calendar and Rules Committee.

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House Joint Resolution No. 0343 -- Memorials, Public Service -- Honors Wallace Alsup for tireless efforts on behalf of senior citizens. by *Bell.

The Speaker referred House Joint Resolution No. 343 to the Calendar and Rules Committee.

House Joint Resolution No. 0344 -- Memorials, Congratulations -- Honors Merchants and Planters Bank on centennial anniversary. by *Davis R E.

The Speaker referred House Joint Resolution No. 344 to the Calendar and Rules Committee.

House Joint Resolution No. 0345 -- Memorials, Public Service -- Congratulates Newport Plain Talk on receiving its second consecutive School Bell Award from TEA. by *Davis R E.

The Speaker referred House Joint Resolution No. 345 to the Calendar and Rules Committee.

House Joint Resolution No. 0346 -- Memorials, Personal Occasion -- Honors Mr. and Mrs. Paul James on 50th wedding anniversary. by *Davis R E.

The Speaker referred House Joint Resolution No. 346 to the Calendar and Rules Committee.

House Joint Resolution No. 0347 -- Memorials, Sports -- Congratulates Wayne County High School boys' basketball team on earning first state tournament berth. by *McDaniel.

The Speaker referred House Joint Resolution No. 347 to the Calendar and Rules Committee.

House Joint Resolution No. 0348 -- Memorials, Sports -- Congratulates Wayne County High School girls' basketball team on winning region 6A championship. by *McDaniel.

The Speaker referred House Joint Resolution No. 348 to the Calendar and Rules Committee.

House Joint Resolution No. 0349 -- Memorials, Sports -- Congratulates Coach Michael D. Edwards on receiving the Tennessee Class A Midstate Coach-of-the-Year award. by *McDaniel.

The Speaker referred House Joint Resolution No. 349 to the Calendar and Rules Committee.

House Joint Resolution No. 0350 -- General Assembly, Studies -- Creates special joint committee to investigate dramatic education to reduce drug abuse, illiteracy, dropping out and increasing learning. by *Peroulas, *Davidson, *Winningham, *Bell, *Pinion,

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*Hobbs, *Bivens, *Cain, *Givens, *Henry Dwight, *Henry Jim, Moody, Scruggs.

The Speaker referred House Joint Resolution No. 350 to the Education Committee.

House Joint Resolution No. 0351 -- Memorials, Professional Achievement -- Honors Dr. Kenneth L. Brigham for contributions to medical community. by *Haltman.

The Speaker referred House Joint Resolution No. 351 to the Calendar and Rules Committee.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Senate Joint Resolution No. 0235 -- Memorials, Sympathy -- Honors Jerry Glen Bridges, U.S. Army flight engineer, MIA Vietnam.

The Speaker referred Senate Joint Resolution No. 235 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0236 -- Memorials, Interns and Pages -- Honors Vernon "Jay" Johnson, Jr., 1989 legislative page.

The Speaker referred Senate Joint Resolution No. 236 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0237 -- Memorials, Sports -- Congratulates William E. Todd, Sr. on induction into TSSAA Hall of Fame.

The Speaker referred Senate Joint Resolution No. 237 to the Calendar and Rules Committee.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 0253 -- Correction, Dept. of -- Enacts "State and Local Correction Reform Act of 1989". Amends TCA, Titles 8, 40, 41.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1045.

Senate Bill No. 0405 -- Jails, Local Lock-ups -- Prohibits decertification of local jail if only reason would be overcrowding with state prisoners. Amends TCA, Title 41, Ch. 4.

Held on the Clerk's desk pending third consideration of companion House Bill No. 889.

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Senate Bill No. 0613 -- County Officers -- Permits county legislative body to set salaries of field deputy sheriffs. Amends TCA 8-20-103.

Held on the Clerk's desk pending third consideration of companion House Bill No. 234.

Senate Bill No. 0931 -- Election Laws -- Requires coordinator of elections to review certain sample ballots in prompt and timely manner. Amends TCA 2-5-207, 208.

Held on the Clerk's desk pending third consideration of companion House Bill No. 313.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1507 -- Cookeville -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1508 -- Blount County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1509 -- Alcoholic Beverages -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 1510 -- Jackson -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

SIGNED

May 1, 1989

The Speaker announced that he had signed the following: House Bill(s) No(s). 383, 417, 471, 491, 523, 588, 672, 779, 1133, 1453 and 1496; and House Resolution(s) No(s). 43.

MESSAGE FROM THE SENATE

May 1, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 263; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MONDAY, MAY 1, 1989 -- FORTIETH LEGISLATIVE DAY

ENGROSSED BILLS

May 1, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 355 and 356; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 1, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 182 and 355; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

May 1, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 290, 291, 293, 294 and 309; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

May 1, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1305; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

May 1, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 104, 383, 417, 471, 491, 523, 588, 672, 779, 1133, 1453 and 1496; also, House Joint Resolution(s) No(s). 264, 265, 266,

MONDAY, MAY 1, 1989 -- FORTIETH LEGISLATIVE DAY

267, 268, 269, 270, 271, 272; 273, 274, 280, 281, 286, 287, 288, 308 and 320; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
May 1, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 412, 433, 535, 661, 1089, 1095, 1243 and 1328; also, Senate Joint Resolution(s) No(s). 74, 220, 222, 223, 225, 226, 227, 228, 229, 230, 231, 233, 246, 249 and 257; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
May 1, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1499; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
May 1, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 238, 239, 241, 242, 245 and 248; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0238 -- Memorials, Interns and Pages -- Honors Anna Maria Gibson, 1989 legislative intern.

Senate Joint Resolution No. 0239 -- Memorials, Recognition and Thanks -- Congratulates Cannon County Rural Development Committee on being named outstanding rural development committee.

Senate Joint Resolution No. 0241 -- Memorials, Interns and Pages -- Honors Michelle E. Miller, 1989 legislative intern.

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Senate Joint Resolution No. 0242 -- Memorials, Interns and Pages
-- Honors Machel McKinnie, 1989 legislative intern.

Senate Joint Resolution No. 0245 -- Memorials, Condolence --
Honors memory of Miss Iva Butler.

Senate Joint Resolution No. 0248 -- Memorials, Congratulations
-- Honors Islamic Center, Nashville's first true mosque.

MESSAGE FROM THE SENATE

May 1, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 138, 181, 666, 874, 1290, 1309 and 1354; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 0138 -- Sunset Laws -- Extends termination date of department of tourist development. Amends TCA, Title 4, Chs. 3, 4, 29; Title 8, Ch. 23; Title 11, Ch. 19; Title 49, Ch. 50; Title 54, Ch. 17.

***Senate Bill No. 0181 -- Sunset Laws --** Extends termination date of bureau of investigation. Amends TCA, Title 4, Chs. 29, 36; Title 8, Chs. 23, 50; Title 10, Ch. 7; Title 17, Ch. 5; Title 27, Ch. 8; Title 37, Chs. 1, 10; Title 38, Chs. 6--8, 10; Title 39, Chs. 3, 5, 6; Title 40, Ch. 33; Title 45, Ch. 2; Title 53, Ch. 11; Title 55, Ch. 10; Title 57, Ch. 1; Title 62, Chs. 27, 35; Title 68, Ch. 17; Title 71, Chs. 3, 5.

***Senate Bill No. 0666 -- Judicial Officers --** Increases circuit court clerk's fee for each name on a jury list. Amends TCA 22-2-204.

***Senate Bill No. 0874 -- Insurance, Motor Vehicles --** Prohibits nonrenewal of automobile insurance policy solely because of old age of insured. Amends TCA, Title 56.

***Senate Bill No. 1290 -- Pensions and Retirement Benefits --** Allows certain teachers to transfer membership to TCRS. Amends TCA 8-35-317.

Senate Bill No. 1309 -- State Employees -- Increases number of applicants certain departments may choose from when filling positions. Amends TCA 8-30-309.

Senate Bill No. 1354 -- Pensions and Retirement Benefits -- Authorizes certain members of TCRS to continue drawing retirement under certain circumstances. Amends TCA 8-36-805.

MONDAY, MAY 1, 1989 -- FORTIETH LEGISLATIVE DAY

SIGNED

May 1, 1989

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 412, 433, 535, 661, 1089, 1095, 1243 and 1328; and Senate Joint Resolution(s) No(s). 74, 220, 222, 223, 225, 226, 227, 228, 229, 230, 231, 233, 246, 249 and 257.

ENGROSSED BILLS

May 1, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 102, 162, 547, 643 and 1097; and House Joint Resolution(s) No(s). 89 and 187; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

May 1, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 35, 315, 725, 1503 and 1506; and House Joint Resolution(s) No(s). 184, 313, 317, 318, 319, 321, 322, 323, 324, 326, 328, 330, 331, 332, 335, 336, 338, 339, 340, 341 and 352; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 1, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 215; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 215 -- Memorials, Recognition and Thanks -- Honors Mario Ferrari, world renowned restaurateur and wine connoisseur.

MONDAY, MAY 1, 1989 -- FORTIETH LEGISLATIVE DAY

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
May 1, 1989

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1507, 1508 and 1510.

REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
May 1, 1989

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Wednesday, May 3, 1989: House Resolution(s) No(s). 45, 46; House Joint Resolution(s) No(s). 343, 344, 345, 346, 347, 348, 349 and 351; House Bill(s) No(s). 1507, 1508 and 1510; Senate Joint Resolution(s) No(s). 235, 236 and 237.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 97.

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

On motion of Rep. Naifeh, the House adjourned until 2:00 p.m., Wednesday, May 3, 1989.